

REQUEST FOR ENFORCEMENT OF A FOREIGN CHILD CUSTODY DETERMINATION INSTRUCTIONS FOR COMPLETING DOM REL 78

If a court outside Maryland has issued an order governing the custody and/or visitation of a minor child, and if you would like the Maryland court's assistance in enforcing that order you may use this form to ask a Maryland court to enforce your foreign (non-Maryland) court order. You may need to enforce your order in Maryland if the child or one or more of the parties now resides in Maryland.

Enforcing an out-of-state custody or visitation order in Maryland is a two-step process:

a. You must first **register** your order by completing DR 79 and submitting it with two copies of the foreign order, one of which must be certified. You do *not* need to send a copy of DR79 to the other parent or party in the case. The court will do that for you, by sending a required notice. **You may register a foreign order at any time, with or without a simultaneous petition to enforce.**

b. You must then file a **petition to enforce** the order. Use DR 78. This document must be filed with the court and then properly served on the opposing party. See the General Instructions, DR0-1 for information on filing a petition and service of process. **When filing a petition to enforce you must have already registered your order. You may file a request to register the order and the petition to enforce at the same time.**

DOM REL forms were developed to assist persons deciding to proceed alone, but you are urged to consider carefully the importance of getting an attorney to help you.

The following instructions refer only to ENFORCEMENT of the foreign order. See DRIN 79 for instructions on registering a foreign order.

> STEP 1 — Completion of Form DOM REL 78.

Court: Fill in the name of the County (or Baltimore City) where you want to register your order. See ***General Instructions***.

Case No.: **DO NOT** write anything where it says "Case No." The Clerk of Court will fill in this blank and, at that time, you should make note of the number for future reference.

Petitioner: Fill in your name, as "Petitioner", and your current address and telephone number. **You do not need to disclose your address or the address of children who are the subject of the case if to do so would place them at risk. If this is the case, please contact the Office of the Clerk before filing the request.**

Respondent: Fill in the name of the other parent or party.

Print your name in the space provided and state your relationship to the child(ren) by circling “mother” or “father” or naming your relationship in the blank.

List the child(ren)’s full name(s) and date(s) of birth.

Item 1. List the date of the order you are seeking to register, and the name of the court that issued it. Include the name of the state or foreign jurisdiction of that court. List the case number of the original foreign (non-Maryland) case.

Item 2. Check off any appropriate boxes, indicating whether or not the court that issued the original order considered the matter of jurisdiction.

Item 3. If appropriate, check the box to indicate whether the order you are seeking to enforce has been vacated, stayed or modified since it was issued. **NOTE: You can only seek to enforce an order that is currently valid. If the order has been vacated, stayed or modified, you may not be able to enforce it. Be sure to submit the most current court order with your request for enforcement.**

Item 4. If you know of any other court cases, hearings or legal proceedings in a Maryland court or in the court of another state or jurisdiction, list that information in this section.

Item 5. Indicate the location where the child(ren) is/are living or staying right now.

Item 6. Indicate the location where the respondent is living right now.

Item 7. Check the appropriate box to indicate whether you have previously submitted the foreign order for registration, or whether you are registering it at the same time as you are filing this petition.

Complete the section that begins “FOR THE FOLLOWING REASONS.” Check off the appropriate boxes to ask the court for what you want.

Read the affidavit and then date and sign form DOM REL 78.

NOTE - OPTIONAL DR80. If you believe the child(ren) may be at risk of serious physical harm or may be imminently removed from the State of Maryland, you may ask that the court issue a warrant to take the children into immediate custody. If so, complete DR 80 - *Application for the Issuance of a Warrant*. Check the appropriate box(es) and sign and date the application and submit it with the petition. Note that it is up to the court to decide whether or not to issue the warrant.

> STEP 2 — Attach copies of the foreign order and confirmation of registration.

Attach **one certified copy** of the foreign order. **If you do not have any original certified copy, you can use a copy of the certified copy.**

NOTE: When submitting documents for *registration*, you must have two copies one of which must be an actual certified copy. See Instructions DRIN 79.

If you have previously registered the foreign order in a Maryland court, attach a copy of any **Maryland order confirming that the original order was properly registered.**

>STEP 3 – Filing Fee.

Payment of a filing fee is generally required. See *General Instructions, DR0-1.*

>STEP 4 – Filing Your Forms.

Take your completed form and attachments, with the filing fee to the Clerk of the Court.

>STEP 5 – Service.

Unless you have requested a warrant, you will need to have the other party properly served with a copy of all the papers you are filing **AND** with a Writ of Summons which is provided by the Clerk of the Court. See *General Instructions, DR0-1.*

NOTE: If you are requesting a warrant to take physical custody of the child (DR80), DO NOT SERVE THE RESPONDENT WITH THE PETITION. In that instance, the respondent will be served by law enforcement once the child(ren) is/are taken into custody.

>STEP 6 – Hearing.

The court will hold a hearing on the petition. See the section on “What Happens In Court” in the *General Instructions, DR0-1.*

REQUEST FOR REGISTRATION OF A FOREIGN CHILD CUSTODY DETERMINATION INSTRUCTIONS FOR COMPLETING DOM REL 79

If a court outside Maryland has issued an order governing the custody and/or visitation of a minor child, and if you would like the Maryland court's assistance in enforcing that order you may use this form to register your foreign (non-Maryland) court order with a Maryland court. You may want to register your order if the child or one or more of the parties now resides in Maryland.

Enforcing an out-of-state custody or visitation order in Maryland is a two-step process:

a. You must first **register** your order by completing DR 79 and submitting it with two copies of the foreign order, one of which must be certified. You do *not* need to send a copy of DR79 to the other parent or party in the case. The court will do that for you, by sending a required notice. **You may register a foreign order at any time, with or without a simultaneous petition to enforce.**

b. You must then file a **petition to enforce** the order. Use DR 78. This document must be filed with the court and then properly served on the opposing party. See the General Instructions, DR0-1 for information on filing a petition and service of process. **When filing a petition to enforce you must have already registered your order. You may file a request to register the order and the petition to enforce at the same time.**

DOM REL forms were developed to assist persons deciding to proceed alone, but you are urged to consider carefully the importance of getting an attorney to help you.

The following instructions refer only to REGISTRATION of the foreign order. See DRIN 78 for instructions on filing a petition to enforce a foreign order.

> STEP 1 — Completion of Form DOM REL 79.

Court: Fill in the name of the County (or Baltimore City) where you want to register your order. See ***General Instructions***.

Case No.: **DO NOT** write anything where it says "Case No." The Clerk of Court will fill in this blank and, at that time, you should make note of the number for future reference.

Petitioner: Fill in your name, as "Petitioner", and your current address and telephone number. **You do not need to disclose your address or the address of children who are the subject of the case if to do so would place them at risk. If this is the case, please contact the Office of the Clerk before filing the request.**

Respondent: Fill in the name of the other parent or party.

List the **current** address and telephone number for the respondent.

Print your name in the space provided and state your relationship to the child(ren) by circling “mother” or “father” or naming your relationship in the blank.

List the child(ren)’s full name(s) and date(s) of birth.

Item 1. List the date of the order you are seeking to register, and the name of the court that issued it. Include the name of the state or foreign jurisdiction of that court.

Item 2. List the names and current addresses of the other parent or any other person who has been awarded custody and/or visitation rights in the case. Note that **you do not need to disclose the address of a custodian of the child(ren) if to do so would place the child(ren) at risk. If this is the case, please contact the Office of the Clerk before filing the request.**

Date and sign form DOM REL 79.

> STEP 2 — Attach copies of the foreign order.

Attach **two copies** of the foreign order. **One copy must be a certified copy of the foreign order.**

>STEP 3 – File the form and copies with the court.

File the document and proper copies in person, or mail them to the Office of the Clerk in the Circuit Court where you want the foreign order to be registered.

Circuit Court for _____ Case No. _____
City or County

Name _____

Name _____

VS.

Street Address Apt. # PO Box

Street Address Apt. # PO Box

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City State Zip Code Area Code Telephone

City State Zip Code Area Code Telephone

Petitioner

Respondent

**PETITION FOR ENFORCEMENT OF A
FOREIGN CHILD CUSTODY DETERMINATION**
(DOM REL 78)

I, _____, representing myself, state that:

My name

I am the mother/father or _____
Circle One Relationship (for example, aunt, grandfather, guardian, etc.)

of the following minor child(ren) or adult disabled child(ren):

Name Date of Birth

Name Date of Birth

Name Date of Birth

Name Date of Birth

1. On _____ the _____ issued an
Date Name Of Court

order in case number _____, governing the legal custody, physical custody or
Case No. of Original Case
visitation a child.

2. **Jurisdiction of Issuing Court** (*Check all that apply*).

☐ The court that issued the original order in this matter had proper jurisdiction over this matter because at the time the case was originally filed all parties and children were residing in the state/jurisdiction of the issuing court.

☐ The issuing court considered the question of jurisdiction and found it had jurisdiction for the following reasons: _____

_____.

3. **Status of the Original Order**(*Check all that apply*).

- ☐ The order which I am seeking to enforce has **NOT** been vacated, stayed or modified.
- ☐ The order which I am seeking to enforce has been vacated/stayed/modified (*circle one if appropriate*) by the following proceeding:

Name of Court	Case Number	Nature of Proceeding
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4. **Other Proceedings.** The following proceedings may affect this case (include proceedings related to domestic violence, protective orders, termination of parental rights, adoption, and any other matter):

Name of Court	Case Number	Nature of Proceeding
Name of Court	Case Number	Nature of Proceeding
Name of Court	Case Number	Nature of Proceeding

5. The present physical address of the child(ren) is listed below:

Name of Child(ren)

Street Address

City

State

Zip Code

6. The present physical address of the respondent is listed below:

Name of Respondent

Street Address

City

State

Zip Code

7. **Registration of the Child Custody Determination.** The order which I am seeking to enforce:

- ☐ Has been registered in Maryland. *(If so, indicate date and place of registration):*

Date Place of Registration (Name of Court)
- ☐ Has not yet been registered with this court. I am attaching with this petition form DR79 requesting that the order be registered, and am submitting the required attachments with that request.

FOR THE FOLLOWING REASONS, I request the Court *(check all that apply)*:

- ☒ Enforce the child custody determination referenced above, giving it the same force and effect as a Maryland order;
- ☐ Return the child(ren) to my immediate custody as provided in the above-referenced court order;
- ☐ Authorize law enforcement officers to assist me in executing this order in the following manner: _____.
- ☐ Award me attorneys fees.
- ☒ Order any other appropriate relief.

I solemnly affirm and verify under the penalties of perjury that the contents of the foregoing Petition are true to the best of my knowledge, information and belief.

Date Signature

Circuit Court for _____ Case No. _____
City or County

Name _____

Name _____

VS.

Street Address Apt. # PO Box

Street Address Apt. # PO Box

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City State Zip Code Area Code Telephone

City State Zip Code Area Code Telephone

Petitioner

Respondent

**REQUEST FOR REGISTRATION OF A
FOREIGN CHILD CUSTODY DETERMINATION**
(DOM REL 79)

I, _____, representing myself, state that:

My name

I am the mother/father or _____
Circle One Relationship (for example, aunt, grandfather, guardian, etc.)

of the following minor child(ren) or adult disabled child(ren):

Name	Date of Birth	Name	Date of Birth
Name	Date of Birth	Name	Date of Birth

1. On _____ the _____ issued an
Date Name Of Court and State/Country
order in case number _____, governing the legal custody, physical custody or
Case No. of Original Case
visitation of the child(ren) listed above.

2. The following persons, in addition to myself, have been awarded custody and/or visitation of the minor child(ren) in this case:

Name	Name
Address	Address
City State Zip Code	City State Zip Code

FOR THESE REASONS, I request the Court register the child custody determination in accordance with Section 9.5-305 of the Family Law Article of the Maryland Code.

I affirm, under penalty of perjury, that the order which I am requesting be registered in Maryland has not been modified, to the best of my information, knowledge and belief.

Date Signature

**[YOU MUST ATTACH TWO COPIES OF THE FOREIGN ORDER,
ONE OF WHICH MUST BE CERTIFIED.]**

Circuit Court for _____ **Case No.** _____
City or County

Name

Name

VS.

Street Address Apt. # PO Box

Street Address Apt. # PO Box

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City State Zip Code Area Code Telephone

City State Zip Code Area Code Telephone

Petitioner

Respondent

APPLICATION FOR THE ISSUANCE OF A WARRANT
(DOM REL 80)

Based on the information provided in the accompanying Petition for Enforcement of a Foreign Child Custody Determination (DR 78), I request that the court issue a warrant to take physical custody of the following child(ren):

Name

Date of Birth

Name

Date of Birth

Name

Date of Birth

Name

Date of Birth

It is necessary for the court to take physical custody of the child(ren) for at least one of the following reasons:

☐ The child(ren) is/are likely to suffer serious physical harm for the following reasons: _____.

☐ The child(ren) is/are likely to be removed from Maryland: _____.

I solemnly affirm and verify under the penalties of perjury that the contents of the foregoing application are true to the best of my knowledge, information and belief.

Date

Signature